



IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Richmond Division

UNITED STATES OF AMERICA

DEVIN A. J. WALCOTT.

**Defendant.**

Criminal No. 3:19-CR- 091

18 U.S.C. §§ 371 and 924(m)  
Conspiracy to Steal Firearms from a  
Licensed Dealer  
(Count One)

**18 U.S.C. §§ 1951 and 2  
Hobbs Act Robbery, Aiding and Abetting  
(Count Two)**

18 U.S.C. §§ 924(c) and 2  
Use of a Firearm by Brandishing During  
and In Relation To a Crime of Violence,  
Aiding and Abetting  
(Count Three)

## Forfeiture Notice

## INDICTMENT

## **JUNE 2019 TERM - At Richmond, Virginia**

## THE GRAND JURY CHARGES THAT:

At all times material to this Indictment, 7-Eleven, located at 3301 W. Cary St., Richmond, Virginia, was a commercial entity engaged in the provision of goods and services in interstate and foreign commerce and an industry that affects interstate commerce.

**COUNT ONE**  
(Conspiracy to Steal Firearms from a Licensed Dealer)

On or about November 23, 2017, in the Eastern District of Virginia and elsewhere, the defendant, DEVIN A. J. WALCOTT, knowingly and willfully conspired and agreed with other persons both known and unknown to the Grand Jury, to steal firearms from Green Top Sporting Goods, located at 10150 Lakeridge Parkway, Ashland, Virginia, a licensed dealer of firearms within the meaning of Chapter 44, Title 18, United States Code, in violation of Title 18, United States Code, Section 924(m).

**MANNER AND MEANS OF THE CONSPIRACY**

It was a part of the conspiracy that:

1. WALCOTT recruited other persons to accompany him to Green Top Sporting Goods to break into the store and steal firearms.
2. WALCOTT also asked one of those recruits to bring a firearm to assist in the break-in. WALCOTT and his co-conspirators also brought burglary tools in order to complete the break-in.
3. The co-conspirators then traveled to Green Top Sporting Goods in order to complete the conspiracy.

**OVERT ACTS**

In furtherance of the conspiracy, the defendant, WALCOTT, and others known and unknown to the grand jury, committed the following overt acts, among others, in the Eastern District of Virginia and elsewhere:

4. On or about November 23, 2017, WALCOTT and his co-conspirators attempted to enter Green Top Sporting Goods by entering a side door. In their attempt, they broke out the glass to the door and used various tools to attempt to open the door.

5. The co-conspirators also fired four shots into the door in an attempt to open the door and enter the store. A store employee who was inside the building yelled at the co-conspirators during the attempted break-in, leading to the co-conspirators fleeing the scene.

(In violation of Title 18, United States Code, Section 371.)

**COUNT TWO**  
(Hobbs Act Robbery)

On or about November 23, 2017, in the Eastern District of Virginia and elsewhere, defendant, DEVIN A. J. WALCOTT, did unlawfully obstruct, delay, and affect commerce and the movement of articles and commodities in such commerce, as those terms are defined in Title 18, United States Code, Section 1951, that is, by unlawfully taking and obtaining property consisting of United States currency and other property belonging to 7-Eleven, located at 3301 W. Cary St., Richmond, Virginia, from the person of and in the presence of an employee, against the employee's will, by means of actual and threatened force, violence, and fear of injury, immediate and future, to said employee's person, that is, by brandishing a firearm and demanding from the employee money and other property belonging to the business, and aided and abetted another in doing so.

(In violation of Title 18, United States Code, Sections 1951 and 2).

**COUNT THREE**  
(Use of a Firearm by Brandishing During and in Relation to a Crime of Violence)

On or about November 23, 2017, in the Eastern District of Virginia, the defendant, DEVIN A. J. WALCOTT, did brandish a firearm during and in relation to a crime of violence for which he may be prosecuted in a Court of the United States, to wit: Hobbs Act Robbery, as charged in

Count Two of this Indictment, which Count is incorporated by reference herein, and aided and abetted another in doing so.

(In violation of Title 18, United States Code, Sections 924(c) and 2).

**FORFEITURE NOTICE**

Pursuant to Rule 32.2 Fed. R. Crim. P., the defendant is hereby notified that upon conviction of any of the offenses alleged in Count One through Three of this Indictment, the defendant shall forfeit any firearm or ammunition involved in or used in any knowing violation of the offenses charged.

Pursuant to Rule 32.2 Fed. R. Crim. P., the defendant is hereby notified that upon conviction of either of the offenses alleged in Count Two of this Indictment, the defendant shall forfeit any property, real or personal, which constitutes or is derived from any proceeds traceable to the offense charged.

If the property subject to forfeiture cannot be located, the United States will seek an order forfeiting substitute assets.

(In accordance with Title 18, United States Code, Section 981(a)(1)(C), incorporated by Title 28, United States Code, Section 2461; Title 18, United States Code, Section 924, incorporated by Title 28, United States Code, Section 2461; Title 21, United States Code, Section 853(p); and Fed. R. Crim. P. 32.2(e).)

A TRUE BILL

FOR PERSON

G. ZACHARY TERWILLIGER  
UNITED STATES ATTORNEY

By:

Stephen E. Anthony  
Assistant United States Attorney

Pursuant to the E-Government Act,  
the original of this page has been filed  
under seal in the Clerk's Office